

## HOWARD DISTRICT

Mr. DORSEY moved that the Convention proceed to the consideration of the report heretofore made by him, from the select committee appointed to consider and report respecting the formation of new counties, in relation to erecting Howard District into a new county to be called Howard county.

This Report had been made the special order of the day for this day.

The PRESIDENT, *pro tem.*, announced the said Report to be the business before the Convention.

## THE LEGISLATIVE DEPARTMENT.

Mr. PHELPS rose to inquire of the Chairman, whether the unfinished business of yesterday (the Report on the Legislative Department of the Government) had not precedence over the Report of the gentleman from Anne Arundel, (Mr. Dorsey.) He (Mr. P.) had yesterday been compelled, very strongly against his wishes, to take up the former subject, and, having been so, he did not now feel disposed to yield its title to priority. He had also stated the other day, and he now repeated, that he was unwilling to take up this question as to Howard District until the question of representation and apportionment had been settled.

The PRESIDENT, *pro tem.*, replying to the point of order raised by Mr. PHELPS, stated the condition of the business upon the calendar, and proceeded to say, that the Convention had yesterday, taken up the Report from the Legislative Department. That report had not been made the order of the day for any particular day. If the report had been allowed to remain where it was left yesterday, after it had been read, it would have come up to-day as unfinished business. But the Convention had thought proper to take it out of its line, and to make it the special order for to-day. It would, therefore, come up after previous special orders should have been disposed of.

Mr. MERRICK thought, he said, that the decision of the Chair was correct. The Convention had been brought into the difficulty in which it was now placed, by an error on its own part. And in order that the Convention might clear itself from this difficulty, he would move that all previous orders be postponed, with a view to enable the Convention to proceed to the consideration of the Report of the Committee on the Legislative Department.

Mr. DORSEY briefly opposed the motion to postpone the Howard District report, and suggested that if the report of the legislative committee should be first acted upon, it would be requisite to re-consider portions of its provisions, in order to accommodate them to the action of the Convention upon the other report. He presumed it would not occupy much time.

Mr. DONALDSON hoped that the Convention would take up the Howard District report.

Mr. PHELPS hoped, he said, that the motion of the gentleman from Charles, (Mr. Merrick,) would prevail. The question involved in the report of the gentleman from Anne Arundel, (Mr.

Dorsey,) was an important one, and he, (Mr. P.) thought that the gentleman was mistaken in supposing that the report would pass *sub silentio*, or without debate. For his own part, he, (Mr. P.) was not disposed to give his vote in favor of erecting new counties, until he had first ascertained what the basis of representation was to be. He thought that the argument of the gentleman from Anne Arundel, (Mr. Dorsey,) did not apply, because the report of the legislative committee provided how new counties, made by subdivision, should be represented in the legislative halls. In addition to this, he, (Mr. P.) would state, that there was a number of gentlemen on both sides of the Convention who were anxious to vote upon the second section of the report of the committee on the legislative department, and who were desirous to leave the city. He thought that an opportunity should be extended to them to express their sentiments and to record their votes upon the section. (It was that which related to biennial sessions.) He hoped, therefore, that the report of the committee on the legislative department would be taken up to-day.

Mr. MERRICK said it was deeply to be regretted, that so much of the time of the Convention was consumed in discussing the order of business. At the time of the adjournment yesterday, it was manifestly the fixed purpose of the Convention to go on with the report of the committee on the legislative department; and it was only by an error, as he had before stated, that the difficulty had arisen this morning. He hoped that the purpose still existed in the mind of the Convention, to proceed now with this important part of the public business. And he submitted that there was no necessity to act upon the report of the committee relative to Howard District, in anticipation of the report of the legislative committee.

Mr. DORSEY said he had looked at the report of the committee on the legislative department with some care, and he assured gentlemen that they were mistaken in supposing that a re-consideration of the legislative report would not be necessary if it was acted upon before the report of the committee on Howard District. He could turn to the report and satisfy gentlemen that they were mistaken, but he did not wish to take up the time of the Convention. He thought that the Howard District report would occupy but little time, and he hoped that the Convention would go on and dispose of it now.

The PRESIDENT, *pro tem.*, stated the question to be on the motion of Mr. MERRICK, to postpone the consideration of the Howard District report, with a view to take up the report of the committee on the legislative department.

Mr. BROWN hoped that the motion to postpone would not be agreed to. The best way to get through with the business of the Convention, was to consider and dispose of it in the order in which it came up.

Mr. JENIFER gave notice that if he should be absent, (as he probably might be,) when the report from Committee No. 14, in relation to the establishment of a Board of Works, should come up, he did not desire that the Convention should